

STIP

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**UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

MAHOGANY BOYD,)

Defendant.)

Case No.: 2:20-CR-235-JAD-NJK

**STIPULATION TO CONTINUE
SENTENCING DATE**

(THIRD REQUEST)

Certification: This stipulation is filed pursuant to General Order 2007-04.

IT IS STIPULATED between the defendant MAHOGANY BOYD through her attorney ROGER C. BAILEY, ESQ., and the United States of America, through CHRISTOPHER BURTON, Assistant United States Attorney, that the sentencing currently scheduled for August 30, 2021, at the hour of 11:00 a.m. be vacated and set to a date and time convenient to this court, but in no event earlier than ninety (90) days.

This Stipulation is entered into pursuant to General Order 2007-04 and based upon the following:

1. There have been two continuances requested in this case.
2. Defendant is undergoing various treatments for breast cancer which compromised her immune system.
3. Defendant's physical condition has deteriorated because of her severe medical condition resulting in her becoming dependent on oxygen.
4. As a result of Defendant's dependence on oxygen, she is unable to ambulate for more than 20-30 minutes at a time.
5. The parties agree to the continuance.

- 1 6. Denial of this request for continuance would cause the defendant to suffer
- 2 extreme hardship due to her ongoing medical condition.
- 3 7. For the above stated reasons, the parties agree that a continuance of the
- 4 sentencing date would best serve the ends of justice in this case.
- 5 8. This is the third request for a continuance of the sentencing date in this
- 6 case.
- 7 9. The Defendant is out of Custody and does not object to the continuance.

8 DATED this 26th day of AUGUST.

9 RESPECTFULLY SUBMITTED BY:

10
11 /s/ Christopher Burton
12 CHRISTOPHER BURTON
13 Assistant United States Attorney

/s/ Roger C. Bailey
 ROGER C. BAILEY, ESQ.
 Attorney for MAHOGANY BOYD

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17 **FINDINGS OF FACT**

18 Based upon the submitted Stipulation, and good cause appearing therefore, the
19 Court finds that:

- 20
1. The parties require additional time to prepare for sentencing in this matter.
 2. This stipulation complies with General Order 2007-04.

21 **CONCLUSIONS OF LAW**

- 22 1. Denial of this request for continuance would deny the defense herein
23 sufficient time and the opportunity within which to be able to prepare for
24 sentencing effectively and thoroughly in this case.
- 25 2. Additionally, denial of this request for continuance would result in a
26 miscarriage of justice.
- 27 3. For all the above stated reasons, the ends of justice would best be served
28 by a continuance of the sentencing date.
4. This is the third request for a continuance.

ORDER

IT IS ORDERED that the sentencing currently scheduled for August 30, 2021, at the hour of 11:00 a.m., be vacated and continued to December 28, 2021, at 11:00 a.m.

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATED: 8/30/2021